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5 **UNITED STATES DISTRICT COURT**
6 **DISTRICT OF NEVADA**

7 STEVEN KINFORD, }
8 Plaintiff, }
9 v. }
10 JAMES PINCOCK, }
11 Defendant. }
12 _____)

3:14-cv-125-RCJ-WGC

ORDER

13 **I. DISCUSSION**

14 On April 17, 2014, Plaintiff, a *pro se* prisoner, filed a motion to voluntarily dismiss his
15 42 U.S.C. § 1983 civil rights case. (ECF No. 3). On April 28, 2014, this Court entered a
16 screening order dismissing the case with prejudice for failure to state a claim but granting
17 Plaintiff's application to proceed *in forma pauperis*. (ECF No. 4 at 4-5). The Court ordered
18 Plaintiff to pay the full \$350 filing fee for this action. (*Id.* at 4). The Clerk of the Court entered
19 judgment that same day. (ECF No. 5).

20 On July 9, 2014, this Court entered an order vacating the screening order and judgment
21 in light of Plaintiff's voluntary dismissal. (ECF No. 8). Plaintiff recently filed a letter with the
22 Court requesting that the Court enter an order reflecting that he is no longer required to pay
23 the \$350 filing fee in light of the vacated screening order. (ECF No. 10-1). On August 19,
24 2014, Plaintiff filed a motion requesting the same order. (ECF No. 11).

25 The Court grants Plaintiff's request. The Court now enters an order clarifying that its
26 July 9, 2014 order vacating the screening order and judgment also vacated the order requiring
27 Plaintiff to pay the full \$350 filing fee. Plaintiff is no longer required to pay the \$350 filing fee
28 for case 3:14-cv-125-RCJ-WGC because Plaintiff voluntarily dismissed the case.

II. CONCLUSION

For the foregoing reasons, IT IS ORDERED that Plaintiff's motion to send a document to the NDOC (ECF No. 11) is GRANTED.

IT IS FURTHER ORDERED that, in light of this Court's July 9, 2014 order, Plaintiff is no longer required to pay the \$350 filing fee for case 3:14-cv-125-RCJ-WGC.

IT IS FURTHER ORDERED that the Clerk of the Court shall send a copy of this order to the attention of Albert G. Peralta, Chief of Inmate Services for the Nevada Department of Prisons, P.O. Box 7011, Carson City, NV 89702.

10 DATED: This 19th day of August, 2014.

Walter J. Bobb
United States Magistrate Judge